

Service Date: May 4, 1981

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

* * * * *

IN THE MATTER of The Application)
of The TOWN OF BROADUS For Authority)
To Adopt Increased Sewer Rates.)
_____)

UTILITY DIVISION
DOCKET NO. 80.11.113
DEFAULT ORDER NO. 4797

On November 17, 1981 the Town of Broadus (Applicant) filed an application with the Montana Public Service Commission for an order authorizing the applicant to increase its sewer rates to provide additional revenue to defray increased costs of operation to maintain, repair and improve the water utility facilities and meet capital expenditures.

Having considered the application and the documentation furnished by Applicant in support of its application and deeming itself fully advised in the premises, the Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. A Notice Of Opportunity For Public Hearing was published in the March 24, 1981 edition of the Billings Gazette and the March 26, 1981 edition of the Powder River Examiner. The notice stated that if no requests for a public hearing were received by April 21, 1981 an appropriate order would be issued based upon evidence submitted with the application.
2. No requests for a hearing were received and no hearing was scheduled.
3. On October 21, 1981 the Town Council of the Town of Broadus

passed Resolution No. 268 setting sewer rates at the proposed level.

4. The City alleges it needs additional revenue to defray increased costs of operation to maintain, repair and improve the sewer utility facilities and to meet capital expenditures.

5. The City anticipates that the proposed rates will increase annual revenues by approximately \$6,800.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over parties and proceedings in this matter.

2. Interested persons were given proper notice and an opportunity to request a public hearing on this matter.

3. The resulting rate levels are reasonable and just.


ORDER

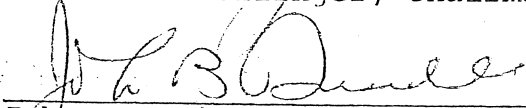
1. The rates as set forth in Appendix "A" attached and by this reference incorporated herein are authorized.

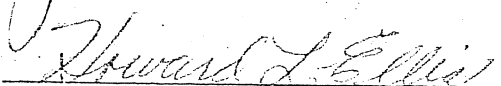
2. These rates shall be effective for all sewer services rendered on and after April 27, 1981.


DONE IN OPEN SESSION in Helena, Montana on April 27, 1981 by
a 4-0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.



Gordon E. Bollinger, Chairman


John B. Driscoll, Commissioner


Howard L. Ellis, Commissioner


Thomas J. Schneider, Commissioner

ATTEST:


Madeline L. Cottrill
Secretary

(SEAL)

NOTE: You may be entitled to judicial review of the final decision in this matter. If no Motion For Reconsideration is filed, judicial review may be obtained by filing a petition for review within thirty (30) days from the service of this order. If a Motion For Reconsideration is filed, a Commission order is final for purpose of appeal upon the entry of a ruling on that motion, or upon the passage of ten (10) days following the filing of that motion. cf. the Montana Administrative Procedure Act, esp. Sec. 2-4-702, MCA, and Commission Rules of Practice and Procedure, esp. 38.2.4806, ARM.

APPENDIX "A"

- Residential: \$2.15 Minimum
0.30/1000 gallons after 3,000 gallons. Amount over 30,000 gallons to be based on winter use average (September, October, November, December, January, February, March and April) over 3,000 gallons.
- Commercial: \$2.15 Minimum
0.39/1000 gallons after 3,000 gallons. Based on yearly water use average per month. Excessive Biochemical Oxygen Demand (BOD) (BOD-200)/200mg/l per each 25 mg/l in excess of 200mg/l a surcharge of \$0.0280/1000 gallons shall be added.
- Excessive Suspended Solids (SS) (SS-250)/250 mg/l- per each 24mg/l in excess of 240mg/l a surcharge of \$0.0101/1000 gallons shall be added.
- Industrial: Federal regulations provide that industrial class users must pay an additional amount for the sewerage that, during the design life of the system, will equal the E.P.A. share for that users proportional use of the systems capacity.